



City of Johnson City Tennessee

601 East Main Street • P.O. Box 2150 • Johnson City, TN 37605 • (423) 434-6000

BOARD OF ZONING APPEALS CITY OF JOHNSON CITY, TENNESSEE

Minutes of the Called Meeting of
March 27, 2013

The Board of Zoning Appeals held a called meeting on March 27th at 5:30 p.m. in the City Commission Chambers of the Municipal and Safety Building.

Members Present

Jeff Benedict, Vice-Chairman
Dwight Harrell
Steve Meroney
Jamie Povlich

Staff Present

Steve Neilson, Development Coordinator

Mr. Benedict called the meeting to order.

The Minutes of the February 12, 2013 meeting were considered for approval.

MOTION: Meroney To approve the minutes of the February 12, 2013 meeting.

SECOND: Harrell

VOTE: Approved 4-0

Case No. 768-2

Mr. Neilson indicated that this was a variance to the height and size of an accessory structure to allow the petitioner to construct a 1,080 square foot, 23 foot tall pool house/storage area. The indicated that the petitioner stated that the property was a 17 acre estate and is in a very private and secluded setting. Also, because the property sits atop of a hill is surrounded by forest, the proposed structure would not be visible from the surrounding properties.. Although the proposed structure exceeding the height and size requirement it was it was in keeping with the size and scale of the home on the property. The structure would not be seen from the adjoining properties therefore, there would be minimal impact. Mr. Neilson stated that due to site conditions, a variance was appropriate and recommended approval.

Mr. Farrell Gosnell representing the petitioner spoke in favor of the request.

Mr. Neilson informed the Board that the a Planning Commission subcommittee was currently reviewing the size of accessory buildings was proposing to amend the regulations to allow up to a 1,200 square foot building. This item was going before the Planning Commission as an information item at its April 9th meeting.

Mr. Meroney stated in light of the forthcoming amendments he recommended approval of the request.

MOTION: Povlich To approve the variance request.

SECOND: Meroney

VOTE: Approved 4-0.

Case No. 768-1

Mr. Neilson indicated that this was a request for a variance to the front yard setback along State of Franklin Road from 45 feet to 15 feet in order to construct a 7,500 square foot commercial building. Under the B-4, the front yard setback is considered any yard abutting a public street. Although, the property receives its access from Marketplace Boulevard and Fitness Way, it physically abuts the State of Franklin Road right-of-way. He stated that the primary purpose for a front yard setback is to improve street visibility for vehicles traveling along the roadway and to provide enough distance to mitigate any noise and odors from passing vehicles. Mr. Neilson pointed out that State of Franklin roadway is approximately 125 feet away and is 40 feet above this site; therefore, the impact would be minimal.

He stated that in order to justify any variance, a special circumstance or condition must exist. He felt that due to the elevation change and distance from the State of Franklin roadway, the property meets these conditions and he recommended approval.

Mr. Mitch Cox spoke in favor of the request.

MOTION: Meroney To approve this variance request

SECOND: Harrell

VOTE: Approved 4-0.

There being no further business, the meeting adjourned at 6:03 a.m.

APPROVED:

Tim O'Neill, Chairman
Board of Zoning Appeals